

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
Plaintiff,)
)
v.) CIVIL ACTION NO. 04-10696-JGD
)
\$78,990 IN UNITED STATES)
CURRENCY,)
Defendant.)

UNITED STATES' MOTION FOR SUMMARY JUDGMENT

Plaintiff, the United States of America, moves for Summary Judgment in favor of the government. As set forth in the accompanying Memorandum, the United States has sustained its burden to show that the Defendant Currency constitutes money furnished or intended to be furnished in exchange for a controlled substance, and/or money used or intended to be used to facilitate violations of Title 21 of the United States Code. It is therefore entitled to forfeiture of the Defendant Currency pursuant to 21 U.S.C. § 881(a)(6).

WHEREFORE, the United States moves for summary judgment in its favor.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Shelby D. Wright
Shelbey D. Wright
Assistant U.S. Attorney

Dated: January 18, 2005

RULE 7.1 CERTIFICATION

I certify that I have conferred with counsel for the claimant and have attempted in good faith to narrow the issues presented in this case.

CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing upon Steven Hrones, counsel for claimant Hiram Rodriguez.

/s/ Shelby D. Wright
Shelbey D. Wright
Assistant U.S. Attorney

Dated: January 18, 2005